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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,401	09/12/2004	Yuergen Boehmke	60027.0032US01	1538

39262 7590 07/23/2004
BELLSOUTH CORPORATION
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

SLH

EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 07/23/2004

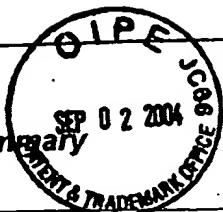
Resp OA Smith/PA Letter 03/02
Resp OA STAT January 23, 2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Handwritten signature

Office Action Summary



Application No.

09/855,401

Applicant(s)

BOEHMKE, YUERGEN

Examiner

Melur Ramakrishnaiah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 4-6, are rejected under 35 U.S.C 102(b) as being anticipated by Sprecher et al. (US PAT: 5,285,494, hereinafter Sprecher).

Regarding claims 1, Sprecher discloses a computer implemented method for maintaining cellular telecommunications site data, comprising the steps of: providing a user interface (104, fig. 1) accepting identifier of a cellular communication site (col. 3 lines 33-35 and fig. 6), in real-time, determining the current cellular telecommunications site data (col. 3 lines 52-57, col. 4 lines 13-24) corresponding to the cellular telecommunications site identified by the identifier from a common database (108, col. 5, line 61 – col. 6, lines 1-2), and providing the cellular telecommunications site data to an output device in (104, fig. 6 col. 5 lines 61-68, col. 6 lines 1-2, lines 59-68, col. 7 lines 1-4).

Regarding claim 4, Sprecher further teaches an apparatus for maintaining cellular telecommunication site data comprising: a computer (104, fig. 1) for use in maintaining the cellular telecommunications site data, the computer having

one or more processors that execute one or more sets of instructions, a memory device (implicit) for storing the one or more instructions to be executed and a storage device coupled to the one or more processors, wherein the instructions in the memory device cause the one or more processors to: provide user interface in (104, fig. 1), accept an identifier of a cellular telecommunication site (col. 5 lines 61-68, col. 6 lines 1-2), in real-time, determine the current cellular telecommunications site data (col. 3 lines 52-57, col. 4 lines 13-24) corresponding to the cellular telecommunications identified by the identifier from a common database (108, col. 5, line 61 – col. 6, lines 1-2), and provide the cellular telecommunications site data to an output device (figs. 7-8, col. 6 lines 59-68, col. 7 lines 1-4).

Regarding claims 2-3, and 5-6, Sprecher further teaches the following: user interface comprises a user interface to one or more users at (104, fig. 1), one or more users have access to changes made to cellular telecommunication site data by one other user (col. 10 lines 57-68, col. 11 lines 1-7), output device is selected from the group monitor in (104), a printer, a facsimile and a plotter (see figs. 7-8).

3. Claims 7, 17, are rejected under 35 U.S.C 102(e) as being anticipated by Bengtsson et al. (US PAT: 6,347,217, filed 5-22-1997, hereinafter Bengtsson)

Regarding claim 7, Bengtsson discloses a computer-readable medium having a set of computer readable instructions stored thereon, wherein the computer-readable instructions are operative to perform the following steps when executed by a computer: provide a user interface (fig. 4) accepting an identifier of

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a cellular telecommunications site (col. 5 lines 55-59), in real-time, determine the current cellular telecommunications site data (col. 6 lines 36-46) corresponding to the cellular telecommunications site identified by the identifier from a common database (note: data is collected at a central node, col. 8 lines 16-23), and provide the cellular telecommunications to an output device (col. 5 lines 60-67, col. 6 lines 1-21, lines 60-64).

Regarding claim 17, Bengtsson teaches the following: computer readable instructions are operable to provide the user interface to one or more users (col. 5 lines 45-59).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bengtsson in view of Sprecher.

Regarding claim 18, Bengtsson does not teach the following: one or more users to have access to changes made to cellular telecommunication data that were made by at least one other user.

However, Sprecher discloses network management system which teaches the following: one or more users to have access to changes made to cellular

telecommunication data that were made by at least one other user (col. 3 lines 52-58, col. 4 lines 13-32).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Bengtsson's system to provide for the following: one or more users to have access to changes made to cellular telecommunication data that were made by at least one other user as this arrangement would provide means for monitoring the network as taught by Sprecher, thus facilitating the network maintenance.

6. Claims 8-12, 15, 16, 19-20, are rejected under 35 U.S.C. 103(a) as being unpatentable over Sprecher in view of Almedia et al. (US PAT: 6,356,758 B1, filed 12-31-1997, hereinafter Almedia).

Regarding claim 8, Sprecher further teaches computer implemented user interface for providing real-time cellular telecommunications site data to a user, the user interface comprising: plurality of items (198, fig. 6) that provide access to different aspects of the cellular telecommunications network site data within a selected region field, where plurality of items comprise a cell item, and when the cell item is selected, a plurality of location information is displayed to the user (fig. 8, col. 6 lines 59-68, col. 7 lines 1-4).

Sprecher differs from claims 8-9 in that he does not explicitly show plurality of tabs to obtain information about aspects of cellular telecommunication network.

However, Almedia discloses wireless tools data manipulation and visualization which teaches the use of tabs (700, fig. 7) to maintain and obtain

information about the cellular telecommunication (col. 9 lines 47-67, col. 10 lines 1-12).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Sprecher's system to provide for the following: plurality of tabs to obtain different aspects of cellular telecommunication network as this arrangement would provide another well known user interface to maintain and access information as taught by Almedia.

Regarding claims 10-11, 15-16, Sprecher does not teach the following: plurality of tabs corresponds to a category of data about cellular telecommunication network within the selected region, plurality of tabs comprises at least a tab category corresponding to cell face engineering information, a tab category corresponding to regulatory information, a tab category corresponding to microwave information.

However, Almedia discloses use of numerical tabs (700/980, figs. 7 and 9) as user interface to maintain and access information about communication networks (col. 9 lines 47-67, col. 10 lines 1-12, lines 29-54).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Sprecher's system to provide for the following: plurality of tabs corresponds to a category of data about cellular telecommunication network within the selected region, plurality of tabs comprises at least a tab category corresponding to cell face engineering information, a tab category corresponding to regulatory information, a tab category corresponding to microwave information as this arrangement would provide another well known

user interface to maintain and access information about different aspects of networks as taught by Almedia.

Regarding claims 19-20, Sprecher teaches the following: user interface is provided to one or more users (col. 3 lines 21-24), one or more users have access to changes made to cellular telecommunication site data that were made by at least one other user (col. 3 lines 52-57, col. 4 lines 13-32),

7. Claims 13-14, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bengtsson in view of Almedia.

Regarding claims 13-14, Bengtsson does not teach the following: user interface comprises a plurality of tabs, each of which corresponds to a category of data about cellular telecommunications network sites within a selected region field, and plurality of tabs comprises at least a tab category corresponding to cellular site identification and location information, a tab category corresponding to cell face engineering information, and a tab category corresponding to report generation for a telecommunications network site.

However, Almedia discloses use of numerical tabs (700/980, figs. 7 and 9) as user interface to maintain and access information about communication networks (col. 9 lines 47-67, col. 10 lines 1-12, lines 29-54).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Bengtsson's system to provide for the following: user interface comprises a plurality of tabs, each of which corresponds to a category of data about cellular telecommunications network sites within a selected region field, and plurality of tabs comprises at least a tab category

corresponding to cellular site identification and location information, a tab category corresponding to cell face engineering information, and a tab category corresponding to report generation for a telecommunications network site as this arrangement would provide another well known user interface to maintain and access information about different aspects of networks as taught by Almedia.

Response to Arguments

8. Applicant's arguments filed on 6-9-2004 have been fully considered but they are not persuasive.

Rejection of independent claims 1, 4, under 35 U.S.C. 102(b) as being anticipated by Sprecher: Regarding rejection of independent claim 1 using the above reference, Applicant argues that "Sprecher fails to teach "in real-time, determining the current cellular telecommunications data corresponding to cellular communication cite identified by the identifier from a common data base; and providing the current cellular telecommunications data to an output device". Contrary to applicants interpretation of the Sprecher, Sprecher teaches a common data base (108, fig. 1) using which user can obtain real time information about cellular communication cite identified by the identifier from a common data base (108, fig. 1) providing the current cellular telecommunications data to an output device (col. 3 lines 11-24). Further for example user can obtain tactical surveillance data which reads on current cellular telecommunications data to an output device (col. 3 lines 52-58, col. 4 lines 13-32). Further, Sprecher teaches generating hourly information of network work performance and other data which is another example of obtaining current

cellular telecommunications data (col. 6 lines 15-33). Since, Sprecher teaches the claim limitations of claim 1, rejection of claim 1 is maintained.

Applicant's arguments regarding rejection of claim 4 using Sprecher reference is similar to those with respect to claim 1. The remarks made above with respect to claim 1 are applicable.

Regarding rejection of claim 8, Applicant's arguments are moot in view of new rejection as set forth above.

Applicant arguments about the rejection of dependent claim 2-3 and 5-6 are tied to independent claims 1 and 4 being patentable which are not as explained above.

Rejection of claim 7 under 35 U.S.C 102(e) as being anticipated by Bengtsson: Regarding rejection of claim 7 using the above reference, Applicant argues that Bengtsson does not teach "in real time, determine the current cellular telecommunications site data corresponding to cellular telecommunications site identified by the identifier from a common database and provide the current cellular telecommunication site data to an output device", as recited by amended claim 7. Contrary to Applicant's interpretation of Bengtsson, He does teach measuring by mobile unit 10 (fig. 1) continuously or periodically signal quality values for signals transmitted by a base station (20, fig. 1) and mobile unit (10, fig. 1) which is made available to network operator as shown by user interface in fig. 4 (col. 3 lines 8-26) which reads on "in real time, determine the current cellular telecommunications site data corresponding to cellular telecommunications site identified by the identifier". Further, this information is

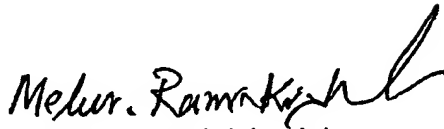
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collected at common database (reads on central node) and outputting to a network operator terminal (col. 8 lines 16-23). Applicant arguments regarding Bengtsson reference, on second paragraph of page 8, are similar to one addressed above and response provided there in is applicable here also. Since Bengtsson teaches limitations of claim 7 as explained above, rejection of claim 7 is maintained.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (703) 305-1461. The examiner can normally be reached on M-F 6:30-4:00; every other F Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703)305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Melur Ramakrishnaiah
Primary Examiner
Art Unit 2643



Notice of References Cited

Application/Control No.

09/955,401

Applicant(s)/Patent Under
Reexamination
BOEHMKE, YUERGEN

Examiner

Melur Ramakrishnaiah

Art Unit

2643

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,356,758	03-2002	Almeida et al.	455/446
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Date Mailed: June 23, 2004

Sheet 1 of 1

FORM 1449 JUN 25 2004 PTO TRADEMARK OFFICE	INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)		Docket Number: 60027.0032US11	Application Number: 09/955,401
			Applicant: Boehmke	
			Filing Date: September 12, 2001	Group Art Unit: 2683

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
<div style="position: absolute; top: 250px; right: 50px; border: 1px solid black; padding: 5px;"> RECEIVED JUN 28 2004 Technology Center 2600 </div>							

FOREIGN PATENT DOCUMENTS								
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
						YES	NO	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
<i>nr</i>	Borland Paradox for Windows-User Guide, 1994, Avery Denison, pages 21 and 175-177

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PATENT TRADEMARK OFFICE

EXAMINER <i>Melvin Ramakrishna</i>	DATE CONSIDERED <i>7/17/04</i>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	